Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, or claims in the application:

1. (Currently Amended) Non-basic refractory batch for making repairs on hot refractory surfaces which batch contains

1.1 65-90 M-% non-basic refractory material with a grain-size fraction of < 15 mm, and

1.2.1 10 - 35 M-% of a combination of at least one phosphatic and at least one silicatic component, or

1.2.2 10 - 35 M-% of a combination of at least one C-containing component and at least one silicatic component,

wherein at least one of the phosphatic and silicatic components forms a molten phase at temperatures > 500° C.

2. (Original) Batch according to Claim 1, with the proportion of the non-basic refractory material between 67 and 84 M-%.

3. (Original) Batch according to Claim 1, with the proportion of the non-basic refractory Material between 70 and 80 M-%.

4. (Canceled) Batch according to Claim 1, whose phosphatic and/or silicatic component forms a molten phase at temperature >500° C.

5. (Original) Batch according to Claim 1 with the proportion of the silicatic component between 2 and 23 M-%.

6. (Original) Batch according to Claim 1, with the proportion of the silicatic component > = 5 M-%.

7. (Original) Batch according to Claim 1, whose silicatic component is present in a grain-size fraction < 0.3mm.

8. (Original) Batch according to Claim 1, whose silicatic component includes at least one of the following components: calcium silicate, sodium silicate, aluminum silicate, boron silicate.

9. (Currently Amended) Batch according to Claim 1, in which the components are proportioned in relation to each other so that the batch forms at least 15 M-% of a molten phase at ~~the~~ an application temperature.

10. (Currently Amended) Batch according to Claim 1, in which the components are proportioned in relation to each other such that the batch forms at

least 20 M-% of a molten phase at ~~the~~ an application temperature.

11. (Original) Batch according to Claim 1, whose non-basic refractory material includes at least one of the following components: sinter alumina, high-grade corundum, standard corundum, MA- spinel, bauxite, andalusite, mullite, zirconium corundum, zirconium mullite, kaolin, clay.

12. (Original) Batch according to Claim 1, whose phosphatic component is present in a proportion <11 M-%.

13. (Original) Batch according to Claim 1, whose C-containing component consists at least partly of one of the following components: pitch, tar, resin.

14. (Original) Batch according to Claim 1, where the proportion of the C-containing component is <13 M-%.

15. (Currently Amended) Batch according to Claim 1, with at least one of the following additional components:

-Al_2O_3 ~~(<5 M-%)~~ at < 5 mass percent

-MgO ~~(<8 M-%)~~ at < 8 mass percent

-Micro-silica ~~(fine-grained silicic acid) (< 2 M-%)~~ at < 2 mass

percent

-Oil ~~(in particular, mineral oil) (< 4 M-%)~~ at < 4 mass percent.

16. (Currently Amended) Batch according to Claim ~~1, with at least one of the following components: reactive alumina, fine-grained MgO sinter~~ 15, wherein Al_2O_3 is provided as reactive alumina.

17. (Original) Batch according to Claim 1, in which the total quantity of phosphatic and silicatic components, per criterion 1.21 is 20 - 28 M-%.

18. (Original) Batch according to Claim 1, in which the total quantity of C-containing and silicatic components, per criterion 1.2.2, is 12 - 18 M-%.

19. (Currently Amended) Use of the batch according to one of the Claims 1 to 18 for the hot repair of refractory linings in metallurgical vessels by throwing a sack, including the batch in dry form on a damaged site so that the sack splits and the batch gets in contact with the refractory lining.